

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/8/05
A Bill

HOUSE BILL 1161

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE NORTHWEST
11 TECHNICAL INSTITUTE FOR THE BIENNIAL PERIOD
12 ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE NORTHWEST TECHNICAL
16 INSTITUTE APPROPRIATION FOR THE
17 2005-2007 BIENNIUM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the
24 Northwest Technical Institute for the 2005-2007 biennium, the following
25 maximum number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
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35 Maximum Annual
36 Maximum Salary Rate



Item	Class		No. of	Fiscal Years	
	No.	Code Title		Employees	2005-2006
3	(1)	9752 VO TECH TECHNICIAN II	10	\$65,182	\$66,970
4	(2)	9753 VO TECH TECHNICIAN I	3	\$59,436	\$61,115
5	(3)	9046 WORKFORCE ED FACULTY	27	\$55,351	\$56,952
6	(4)	247Z ED VO TECH SCHOOL DIRECTOR	1	GRADE	25
7	(5)	482Z ED VO TECH SCHOOL ASST DIR	3	GRADE	23
8	(6)	D036 SR PROGRAMMER/ANALYST	2	GRADE	21
9	(7)	M100 VOCATIONAL COUNSELOR	2	GRADE	21
10	(8)	R144 PROGRAM COORDINATOR	1	GRADE	20
11	(9)	R032 ASST REGISTRAR	1	GRADE	18
12	(10)	G028 BLDG PLANT MAINTENANCE SUPV II	1	GRADE	18
13	(11)	R190 PERSONNEL OFFICER II	1	GRADE	17
14	(12)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE	17
15	(13)	R009 ADMINISTRATIVE ASSISTANT I	1	GRADE	15
16	(14)	A063 PAYROLL OFFICER	1	GRADE	15
17	(15)	A108 ACCOUNTING TECHNICIAN II	2	GRADE	15
18	(16)	K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	2	GRADE	14
19	(17)	R041 BOOKSTORE OFFICE MANAGER	1	GRADE	14
20	(18)	K153 SECRETARY II	3	GRADE	13
21	(19)	E017 INSTITUTION ASSISTANT LIBRARIAN	1	GRADE	13
22	(20)	G165 WORK MAINTENANCE LEADER	1	GRADE	10
23	(21)	G109 BLDG/EQUIP MAINT REPAIRMAN II	<u>2</u>	GRADE	08
24		MAX. NO. OF EMPLOYEES	67		

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26 SECTION 2. EXTRA HELP. There is hereby authorized, for the Northwest
 27 Technical Institute for the 2005-2007 biennium, the following maximum number
 28 of part-time or temporary employees, to be known as "Extra Help", payable
 29 from funds appropriated herein for such purposes: one hundred seven (107)
 30 temporary or part-time employees, when needed, at rates of pay not to exceed
 31 those provided in the Uniform Classification and Compensation Act, or its
 32 successor, or this act for the appropriate classification.

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34 SECTION 3. APPROPRIATION - STATE. There is hereby appropriated, to the
 35 Northwest Technical Institute, to be payable from the Northwest Technical
 36 Institute Fund, for personal services and operating expenses of the Northwest

1 *Technical Institute - State for the biennial period ending June 30, 2007, the*
 2 *following:*

3		FISCAL YEARS	
4	ITEM		
5	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
6	(01) REGULAR SALARIES	\$ 2,778,329	\$ 2,858,058
7	(02) EXTRA HELP	361,093	361,093
8	(03) PERSONAL SERVICES MATCHING	922,008	941,126
9	(04) MAINT. & GEN. OPERATION		
10	(A) OPER. EXPENSE	676,377	676,377
11	(B) CONF. & TRAVEL	11,500	11,500
12	(C) PROF. FEES	0	0
13	(D) CAP. OUTLAY	0	0
14	(E) DATA PROC.	<u>0</u>	<u>0</u>
15	TOTAL AMOUNT APPROPRIATED	<u>\$ 4,749,307</u>	<u>\$ 4,848,154</u>

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17 SECTION 4. APPROPRIATION - FEDERAL. There is hereby appropriated, to the
 18 Northwest Technical Institute, to be payable from the federal funds as
 19 designated by the Chief Fiscal Officer of the State, for personal services
 20 and operating expenses of the Northwest Technical Institute - Federal for the
 21 biennial period ending June 30, 2007, the following:

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23	ITEM	FISCAL YEARS	
24	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
25	(01) REGULAR SALARIES	\$ 76,547	\$ 78,783
26	(02) EXTRA HELP	20,598	20,598
27	(03) PERSONAL SERVICES MATCHING	28,131	28,669
28	(04) MAINT. & GEN. OPERATION		
29	(A) OPER. EXPENSE	10,539	10,539
30	(B) CONF. & TRAVEL	0	0
31	(C) PROF. FEES	0	0
32	(D) CAP. OUTLAY	0	0
33	(E) DATA PROC.	<u>0</u>	<u>0</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$ 135,815</u>	<u>\$ 138,589</u>

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36 SECTION 5. APPROPRIATIONS - CASH. There is hereby appropriated, to the

1 Northwest Technical Institute, to be payable from cash funds as defined by
 2 Arkansas Code 19-4-801 of the Northwest Technical Institute, for personal
 3 services and operating expenses of the Northwest Technical Institute - Cash
 4 for the biennial period ending June 30, 2007, the following:

6 ITEM	FISCAL YEARS	
7 NO.	2005-2006	2006-2007
8 (01) REGULAR SALARIES	\$ 306,649	\$ 315,719
9 (02) EXTRA HELP	562,500	562,500
10 (03) PERSONAL SERVICES MATCHING	160,740	162,918
11 (04) MAINT. & GEN. OPERATION		
12 (A) OPER. EXPENSE	353,500	353,500
13 (B) CONF. & TRAVEL	9,000	9,000
14 (C) PROF. FEES	250,000	250,000
15 (D) CAP. OUTLAY	200,000	200,000
16 (E) DATA PROC.	0	0
17 (05) RESALE	275,000	275,000
18 (06) DEBT SERVICE	<u>57,415</u>	<u>57,415</u>
19 TOTAL AMOUNT APPROPRIATED	<u>\$ 2,174,804</u>	<u>\$ 2,186,052</u>

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 22 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 24 CONTINGENCY. (a) To address needs emerging from the restructuring of the
 25 Technical Institutes, Northwest Technical Institute shall establish and
 26 maintain for the ~~2003-2005~~ 2005-2007 biennium a pool of four (4)
 27 unclassified positions and three (3) classified positions, payable from funds
 28 appropriated for Northwest Technical Institute. These positions are to be
 29 used by Northwest Technical Institute in the event that the number and level
 30 of positions available to address the needs emerging from business and
 31 industry driven program expansions exceeds the number of positions regularly
 32 authorized for Northwest Technical Institute.
 33 (b) Northwest Technical Institute shall provide justification to the
 34 Department of Finance and Administration's Office of Personnel Management
 35 (OPM) for the need to allocate titles from this position pool. No
 36 classifications will be assigned to the pool until such time as specific

1 positions are requested and justified by Northwest Technical Institute,
2 recommended by OPM and approved by the Legislative Council. Northwest
3 Technical Institute may transfer positions from this pool to any pay schedule
4 the agency currently maintains or any pay schedule the agency receives during
5 the ~~2003-2005~~ 2005-2007 biennium.

6 (c) Determining the number of personnel to be employed by a state agency is
7 the prerogative of the General Assembly and is usually accomplished by
8 delineating the maximum number of personnel by identifying job titles and the
9 maximum grade or salary attached to those titles. The General Assembly has
10 determined that Northwest Technical Institute could be operated more
11 efficiently if some flexibility is given to that agency. That flexibility is
12 being accomplished by providing growth pools in subsection (a) of this
13 section and since the General Assembly has granted the agency broad powers
14 under the growth pool concept, it is both necessary and appropriate that the
15 General Assembly maintain oversight of the utilization of the growth pool by
16 requiring prior approval of the Legislative Council in the utilization of the
17 growth pool. Therefore, the requirement of approval by the Legislative
18 Council is not a severable part of this section. If the requirement of
19 approval by the Legislative Council is ruled unconstitutional by a court of
20 competent jurisdiction, this entire section is void.

21 If the agency requests continuation of a "Growth Pool" position(s) as
22 established herein during the next biennium, the position(s) must be
23 requested as a new position(s) in the agency's biennial budget request.
24 The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005
25 through June 30, ~~2005~~ 2007.

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27 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PART-TIME
29 FACULTY. The Technical Institutes are not required to remit a state
30 contribution to the state employee insurance trust fund on Workforce
31 Education Part-time Faculty Positions unless the position will be utilized
32 for more than 1,000 hours a year.

33 The provisions of this section shall be in effect only from July 1, ~~2003~~
34 2005 through June 30, ~~2005~~ 2007.

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36 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
2 ADDITIONAL TEACHING LOAD. Instructional staff at Northwest Technical
3 Institute, may be paid up to forty five (\$45) per clock hour for the fiscal
4 year ending June 30,2006 and up to fifty dollars (\$50) per clock hour for the
5 fiscal year ending June 30,2007, for non-credit teaching assignments; or up
6 to five hundred dollars (\$500) per semester hour for the fiscal year ending
7 June 30, 2006, and up to five hundred fifty (\$550) per semester hour for the
8 fiscal year ending June 30, 2007, for teaching courses beyond the defined
9 teaching load; and the employee's maximum allowable salary may be exceeded by
10 such amount; provided, however, that such additional teaching load may not
11 exceed one hundred fifty (150) clock hours or nine (9) semester credit hours
12 per school year. Further, the provisions of this section shall only apply to
13 credit and noncredit courses that are funded by Private Industry.
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15 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
17 HELP RESTRICTION. No employee at Northwest Technical Institute, who is
18 employed as "Extra Help" may exceed eighty-five percent of the maximum annual
19 salary for a comparable position as authorized under Arkansas Code 21-5-201
20 et seq. during any fiscal year, nor shall such employee be employed for a
21 period of time to exceed fourteen hundred (1400) hours in any single fiscal
22 year. The provisions of this section shall be in effect only from July 1,
23 2005 through June 30, 2007.
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25 SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
26 by this act shall be limited to the appropriation for such agency and funds
27 made available by law for the support of such appropriations; and the
28 restrictions of the State Procurement Law, the General Accounting and
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
30 Procedures and Restrictions Act, or their successors, and other fiscal
31 control laws of this State, where applicable, and regulations promulgated by
32 the Department of Finance and Administration, as authorized by law, shall be
33 strictly complied with in disbursement of said funds.
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35 SECTION 11. LEGISLATIVE INTENT. It is the intent of the General Assembly
36 that any funds disbursed under the authority of the appropriations contained

1 in this act shall be in compliance with the stated reasons for which this act
2 was adopted, as evidenced by the Agency Requests, Executive Recommendations
3 and Legislative Recommendations contained in the budget manuals prepared by
4 the Department of Finance and Administration, letters, or summarized oral
5 testimony in the official minutes of the Arkansas Legislative Council or
6 Joint Budget Committee which relate to its passage and adoption.

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8 SECTION 12. EMERGENCY CLAUSE. It is found and determined by the General
9 Assembly, that the Constitution of the State of Arkansas prohibits the
10 appropriation of funds for more than a two (2) year period; that the
11 effectiveness of this Act on July 1, 2005 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the Regular Session, the delay in the effective
14 date of this Act beyond July 1, 2005 could work irreparable harm upon the
15 proper administration and provision of essential governmental programs.
16 Therefore, an emergency is hereby declared to exist and this Act being
17 necessary for the immediate preservation of the public peace, health and
18 safety shall be in full force and effect from and after July 1, 2005.

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20 /s/ Joint Budget Committee
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